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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00554 EJD
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER CONTINUING THE STATUS
v.)	CONFERENCE FROM AUGUST 6, 2012
)	TO SEPTEMBER 17, 2012 AND
ROBERT DEKETT,)	EXCLUDING TIME FROM AUGUST 6,
)	2012 TO SEPTEMBER 17, 2012
Defendant.)	
)	

The parties hereby request that the Court enter this order continuing the status conference from August 6, 2012 to September 17, 2012, and excluding time from August 6, 2012 to September 17, 2012. The parties, including the defendant, stipulate as follows:

1. The defendant understands and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161, for the period from August 6, 2012 to September 17, 2012 based upon the need for the defense counsel to investigate further the facts of the present case. Government counsel has presented defense counsel and defendant with a proposed plea agreement. Defense counsel and defendant need additional time to complete their investigation and review and consider the proposed plea agreement. Therefore, for effective preparation of

STIP & ~~PROPOSED~~ ORDER
No. CR 11-00554 EJD

1 defense counsel, the parties agree that the status conference currently scheduled for August 6,
2 2012 should be continued to September 17, 2012 at 1:30 a.m.

3 2. The attorney for defendant joins in the request to exclude time under the Speedy Trial
4 Act, 18 U.S.C. § 3161, for the above reasons, and believes the exclusion of time is necessary for
5 effective preparation of the defense; believes the exclusion is in the defendant's best interests;
6 and further agrees that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be for
7 the period from August 6, 2012 to September 17, 2012.

8 Given these circumstances, the parties believe, and request that the Court find, that the
9 ends of justice are served by excluding from calculations the period from August 6, 2012 to
10 September 17, 2012 outweigh the best interests of the public and the defendant in a speedy trial
11 under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

12 IT IS SO STIPULATED.

13 DATED: 7/29/12

14 /s/
JACK GORDON
Attorney for Defendant

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16 DATED: 7/29/12

17 /s/
SUSAN KNIGHT
HANLEY CHEW
Assistant United States Attorney
Attorney for Plaintiff

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19 **~~PROPOSED~~ ORDER**

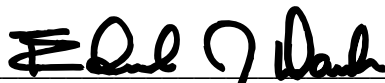
20 Having considered the stipulation of the parties, the Court finds that: (1) the defendant
21 understands and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18
22 U.S.C. § 3161, from August 6, 2012 to September 17, 2012, based on the need for the defense
23 counsel to investigate further the facts of the present case, review the discovery that the
24 government has already provided and will provide and evaluate further possible defenses and
25 motions available to the defendant; (2) the exclusion of time is necessary for effective
26 preparation of the defense and is in the defendant's best interests; and (3) the ends of justice are
27 served by excluding from Speedy Trial calculations the period from August 6, 2012 to
28

1 September 17, 2012.

2 Accordingly, the Court further orders that (1) the status conference currently scheduled
3 for August 6, 2012 is vacated and that the next appearance date before this Court is scheduled for
4 September 17, 2012 at 1:30 p.m.; and (2) the time from August 6, 2012 to September 17, 2012 is
5 excluded from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161.
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7 IT IS SO ORDERED.

8 DATED: July 30, 2012


9 THE HONORABLE EDWARD J. DAVILA
10 United States District Court Judge
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